

April 14, 1975

PRESIDENT: The question is, shall debate cease? Record your vote. Record.

CLERK: 28 ayes, 2 nays to cease debate, Mr. President.

PRESIDENT: Debate shall cease. Senator Cavanaugh, are you ready to close debate by way of reply.

SENATOR CAVANAUGH: Yes, Mr. President. LB 473 should be returned and this amendment should be stricken. The amendment will, in no way, improve the efficiencies of administrative offices. It will place this Legislature, once again, in the position of demeaning itself by attempting to say that we can't carry out our function. We have all the power that anybody could ever grant us to write budgets and the only reason we don't do a good job of it is because we don't properly use our power and that's a fault of this Legislature and we can pass any piece of legislation we want critical or shackling the administrative branch and it isn't going to increase our efficiency to use the power that we have one bit. The day that we decide that this Legislature has got an integrity and is a powerful separate branch of government and should legitimately use the powers it has been granted by the people, that's the day we will write good budgets, and not by passing pieces of legislation that, in effect, make us sycophants of the Governor, that say to us, Governor, please tell us what you want and we will fulfill your wishes, and that is what we did the first year I was here and I am still disgusted by that spectacle, that degradation of this body. The people who elected me sent me here to fulfill the obligations that are set out in the Constitution, the prime area of one which is to appropriate funds in a responsible manner and that means that we scrutinize the budget. We write the budget. We say where the money is going to be spent. That's our obligation, not the Governor's. Our obligation isn't to beg the Governor or command the Governor or put mandates for the Governor to tell us how much money to appropriate for him but that is what we want to do year after year, and as long as we want to do that, this Legislature isn't going to be a separate and coequal branch of government. This section will do nothing to enhance our status. It's totally unworkable. First of all, you cannot mandate the press to publish anything. It is a legal publication notice which means the DAS will probably buy a little legal squib in one of the local papers and I don't know who that does any good for anybody other than the publisher. The second provision of penalizing, you are going to penalize the wrong people and you are going to attempt to penalize probably a lot of people that you can't penalize. Are we going to deduct the salary of the Supreme Court, if they don't have their budget in on time. I'd like to see us try. Are we going to deduct the salary of the Board of Regents or Woody Varner. It's Woody Varner's fault but the Board of Regents is responsible. Whose salary are you going to deduct? It doesn't say. You don't know and you probably can't do that either because they are a constitutional office. It is ridiculous. It is absurd. It is petty and it should be stricken and we should return it.

PRESIDENT: The question is, shall LB 473 be returned to